

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANK FIROZ,

Defendant.

8:12CR391

ORDER

This matter is before the court on the defendant's request for copies of his criminal docket sheet and a sealed filing (Filing No. 678). The defendant requests the copies be provided without cost to him because he is indigent. Previously, the court allowed the defendant to receive copies of certain transcripts without paying costs. **See** Filing No. 668. The defendant pleaded guilty and was sentenced, after which a judgment entered on January 9, 2015. **See** Filing No. 593. Another judgment was entered on January 13, 2015, with regard to forfeiture of currency. **See** Filing No. 595.

Other than this motion for copies, the defendant has no motions or cases pending before this court, and the defendant makes no showing as to why he needs these documents. Despite the defendant's previous assertion that he intends to file a "2255 motion," he has not filed any substantive motion. Accordingly, the court is not inclined to order copies of documents made at government expense without a pending appeal or some showing of need for the documents. **See** 28 U.S.C. § 753(f); **see also** *Chapman v. United States*, 55 F.3d 390, 390-91 (8th Cir. 1995) (stating any request for a free transcript prior to the filing of a 28 U.S.C. § 2255 motion is premature). The defendant may, of course, pay the costs of preparing the copies of the filings.

IT IS ORDERED:

The defendant's request for copies (Filing No. 678) is denied.

Dated this 10th day of September, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge